

February 1, 2023

VIA PRO SE INTAKE

Hon. Sarah Netburn, U.S.M.J.
United States District Court
Thurgood Marshall Courthouse
40 Foley Square, Room 430
New York, NY 10007

Re: *Arthur Balder v. Susan Sarandon, et al*, Case No.: 1:22-cv-06401-JLR-SN

Hon. Judge Netburn:

I am the Plaintiff in this action. This letter is submitted pursuant to I.A of your Honour's Individual Practices to request permission to file a review of the Third Amended Complaint ("TAC").

This letter is respectfully submitted to address Doc 64 of the referenced Case above.

Defendants request more time, but also Plaintiff wished for more time and it was clear in the order he would not be allowed more. The Order was clear that Plaintiff could not request any extension beyond January 26 to file the TAC, and it was clear regarding Defendants' deadlines to answer the TAC.

The Plaintiff's reasoned point of view, which is part of the communications via email exchanged with Defendants' attorneys conferring on this matter yesterday, is not properly conveyed in their Letter Doc 64. We will summarise:

1. "I think it is simply unfair your request for extension of time (...) **However, I trust totally the criteria of Hon Sarah Netburn, and she shall decide. Whatever she chooses enjoys our utter respect.**"
2. "**Hon. Sarah Netburn set the deadlines.** It's been extremely difficult for us to present a complaint that addresses your MTD's extremely high particularity standards (...) respecting the deadline of 26 January, but we respected it. My apologies for any typos in the TAC, because there was not enough time to review it. **We also wished to have more time, yet we abide the Courts order.**"
3. "the **MTD is a bogus, unfair attempt to achieve the impossible** in a desperate invocation of the fame of your main and only real client, Sarandon, to expect the privilege to get 'scotfree' out of the mess she has caused out of malice . If you read the TAC, you'll see that it is impossible to dismiss any cause of action, and to ask more time to try something that is in plain sight impossible, is simply unfair to us."
4. "**If it is unfair and harassing to file meritless complaints, it is also unfair and harassing to file meritless MTDs compulsively.**"

5. “I respected the deadlines and the Defendants should do the same.”

6. “Your clients (...) have weaponized time against me, my family, my business, and against those great professionals in my team who also are affected by their decision coordinately to destroy a film and defame, with its suppression to please Sarandon’s vengeful mood, the entire team that made it possible.”

Additionally, recall our Letter requesting a Third Amendment Complaint: “Attorneys of the Defendants did not contact us *to discuss thoroughly, in person or by telephone, the substance of the contemplated motion and any potential resolution.* Since they have filed a motion pursuant to Fed. R. Civ. P. 12(b), the Plaintiff have been deprived of the right to indicate if he wished to amend the subject pleading. That happened because Attorneys of Defendants did not act in good faith to gain advantage over Plaintiff, avoiding his detailed Complaint, to after that simplistically allege lack of particularisation. The TAC is the result of Defendants not respecting the previous proceeding if they wished to file a MTD based on Fed. R. Civ. P. 12(b)

Defendants’ attorneys **first** delayed the process pretending they could not find their clients to consult on waive process; **and then, and most importantly, Sarah Matz pretended the other newly added defendants, David and Honey Shara and Tigran, had nothing to do with her, and allowed time and resources to be lost trying to serve them papers, when in reality evidence shows David and Honey Shara were paying Sarandon’s attorneys since before the first day she appeared in this Court representing her.**

Recorded evidence from Tigran states Sarandon’s attorneys paid by David Shara since June 2022.

That’s why on our conference in October Sarah Matz, without representing the other defendants ‘yet’, could negotiate in their name: Honey Shara and David Shara had been paying Sarandon’s attorneys all the way along as part of the corrupt agreement that sets the civil conspiracy in a coordinated work to harm Plaintiff.

Conclusively, Defendants and their attorneys **employ delaying tactics in bad faith**, weaponising time over and over.

THEREFORE the Plaintiff beseeches the Court considers these arguments and orders Defendants to comply with the Order.

We greatly appreciate your Honour’s time and consideration in this matter.

Respectfully Submitted,

/s/ Arthur Balder

Cc. All other Parties (via ECF).